

SENATE REJECTS THE FIRST BILL WHICH PASSES THE LOWER HOUSE

UPPER HOUSE RUNS SMOOTHLY

Senator White Gives Notice of a Coming Court of Claims Bill.

The Senate opened at 9:30 o'clock yesterday morning and though one-half hour late in the commencement of the day's business was more than atoned for in the retreating manner in which the business of the day was transacted. Bills were read and resolutions were passed with but little of the usual dissension and with but two exceptions there was little debate.

The regular interpreter failed to put in his appearance at the proper time and upon motion of Achi, R. W. Boyd was appointed temporary interpreter.

Senator Kanuha, as chairman of the committee on ways and means, reported as follows:

We recommend an amendment to bill No. 2 as follows: In section 1, line 6, the word "twenty" substitute and insert "fifteen"; in section 1, line 7, for the word "twenty" substitute "fifteen"; in all other respects we approve the bill.

The report was disposed of by laying it on the table and it will be taken up with the other bills.

A verbal report from the Molokai committee was made by Kalaauokalani, who said that the members had held a meeting and would probably meet with the joint committee from the House during the afternoon. The report from the Senate committee had been placed in the hands of the printer.

Senator White gave notice of his intention to introduce the following bills: An Act to create a Court of Claims and determine all claims which may be prosecuted under the provisions of this Act for injury to or the loss of property, real, personal or mixed, caused by the Board of Health or any officers or employees of the Territory of Hawaii, whether with or without authority of law, either directly or indirectly, intentionally or accidentally, in connection with the suppression of the alleged bubonic plague in Honolulu and elsewhere, in the Territory of Hawaii, and to provide for the appointment of the officers of said court and the payment of the salaries of the officers of said court and the expenses thereof.

An Act relating to the appointment of judges for certain courts in the Territory of Hawaii and defining the duties and powers of such and fixing the amount of their compensation, and providing for the payment of such compensation.

Senator Kanuha gave notice of his intention to introduce the following: "An Act to protect laborers and their employers from extortion." The bill was passed for its first reading and was turned over to the printing committee.

Achi offered an amendment to rule requiring committees to report on any matter referred to them within three days unless granted further time by the Senate. This proposition was approved by Senator White and the argument was continued until the noon recess.

The afternoon session was opened by Senator Kalaauokalani, who moved for a suspension of the rules and asked that the bills be given their first reading but his request was refused.

D. Paris offered a resolution fixing the pay of the clerk, assistant clerk and stenographer at \$10 per day, sergeant-at-arms \$5 per day and the messenger at \$3 per day. The salary of the chaplain was fixed at \$100 for the session.

Senator White moved to lay the resolution on the table and made the order of business today. Carried.

House bill 3, relating to certain matters pertaining to guardians and wards, was given its first reading before the Senate.

A bill from the lower House providing for three judges in the Circuit Court of the First Circuit aroused a great deal of discussion in the Senate and was eventually rejected upon a motion of Senator White by a vote of eight to six.

Senate bill No. 5, relating to the limitation of the biennial fiscal period of the Territory of Hawaii, was read and referred to the committee on ways and means.

Senate bill No. 6, being an act to repeal sections 1617, 1618 and 1619 of the Penal Laws relating to forest roads, was referred to the committee on agriculture.

Senate bill No. 7, to amend section 3 of the Penal Laws relating to crimes and misdemeanors, passed its first reading and was referred to the judiciary committee.

Senate bill No. 8, to amend section 3 of the Penal Laws relating to crimes and misdemeanors, passed its first reading and was referred to the judiciary committee.

Senate bill No. 19, to repeal section 3 of the Penal Laws relating to importation of spirituous liquors, was referred to the committee on intoxicants.

Senate bill No. 21, being an act to amend section 246 of the Penal Laws relating to criminal conduct of an officer or guard to prisoners in his custody, was referred to the judiciary committee.

Senate bill No. 22, to amend section 246 of the Penal Laws relating to crimes and misdemeanors, passed its second reading and was referred to the judiciary committee.

Senate bill No. 23, to amend section 246 of the Penal Laws relating to crimes and misdemeanors, passed its second reading and was referred to the judiciary committee.

Adjournment was then taken until the usual hour this morning.

YESTERDAY'S GRIST OF IMPORTANT LEGISLATIVE BILLS

FOLLOWING is the text of the more important measures introduced in the Legislature, beginning with that of the act to pension Liliuokalani:

One Thousand Dollars a Month for Liliuokalani.

Representative Keiki of Honolulu yesterday introduced the following bill in the House:

An Act to Appropriate Pension for ex-Queen Liliuokalani.

Section 1. That the sum of \$12,000 per annum is hereby appropriated as pension for ex-Queen Liliuokalani during her lifetime, and the Hon. Henry E. Cooper, Secretary of the Territory of Hawaii, is hereby directed to pay the same out of the public Treasury in like manner with other salaries and appropriations, payable by the Territory of Hawaii.

Sec. 2. The said ex-Queen Liliuokalani shall be entitled to draw upon the public Treasury for the pension provided in the preceding section from and after the date of the passage of this Act.

Sec. 3. This Act takes effect from and after the date of publication.

Bill for Segregation of the Lepers at Molokai.

Representative Kaniho introduced the following bill in the House yesterday morning, relating to the segregation of the lepers, as follows:

Section 1. Whoever shall knowingly detain or harbor upon premises subject to his control, or shall in any manner conceal or secrete any leper with the intent that such person be not discovered by or delivered to the Board of Health or its agents; or who shall support or assist in supporting any such person living in concealment, shall be deemed guilty of a misdemeanor, and shall upon conviction hereof before any District Justice, be liable to a fine of not more than \$100.

Sec. 2. It shall be the duty of every police officer or deputy sheriff knowing of any leper within the district where he resides to report the same forthwith to the agent of the Board of Health.

Sec. 3. Any police officer or deputy sheriff who shall wilfully fail to comply with the provisions of section 2 of this Act, shall be deemed guilty of a misdemeanor and upon conviction shall be fined not less than \$10 nor more than \$200, and shall be dismissed from office.

Sec. 4. That sections 1, 2 and 3 of chapter LXXIV of the Session Laws of 1888, and being sections 996, 997 and 998 of the Penal Laws, are hereby repealed.

Dickey's Sweeping Bill for a Two Per Cent Income Tax.

If Representative Dickey's House Bill No. 23 goes into effect every person who draws a regular monthly or weekly salary will be subject to a 2 per cent tax upon any amount earned above \$1,000. The clerk who is in the habit of drawing \$100 a month, or \$1,200 per annum, will be subject to the imposition of the 2 per cent tax upon the \$200 above the specified \$1,000, amounting to \$4. He who draws a salary of \$2,400 a year must pay into the Government Treasury, according to Representative Dickey's wishes, a tax of \$8, and so on. Not only does the individual have his pockets touched by the Government under the provisions of the income tax bill, but every business, corporation, trade, profession, clerks in the Government employ, school teachers, and even the plumbers are subject to it.

The bill provides for the first levying of the tax on July 1 of the present year, as follows:

From and after the first day of July, A. D. 1901, there shall be levied, assessed, collected and paid annually upon the gains, profits, and income, over and above \$1,000, derived by every person residing in the Territory of Hawaii from all property owned, and every business, trade, profession, employment or vocation carried on in the Territory, and by every person residing without the Territory from all property owned, and every business, trade, profession, employment or vocation carried on in the Territory, and by every servant or officer of the Territory, wherever residing, a tax of 2 per cent on the amount so derived during the year preceding.

Mr. Dickey provides, however, that certain institutions shall not be included in his array of persons and things to be taxed, among them being companies, corporations or associations conducted solely for charitable, religious, educational or scientific purposes, including fraternal beneficiary societies, nor to insurance companies taxed on a percentage of the premiums under the authority of another Act.

In estimating the gains, profits and income of any person or corporation, it is provided there shall be included all income derived from interest upon notes, bonds and other securities, except such bonds of the Territory of Hawaii or municipalities hereafter created by the Territory, the principal and interest of which are by the law of their issuance exempt from all taxation; profits realized within the year preceding from sales of real estate, including leaseholds purchased within two years; dividends upon the stock of any corporation; the amount of all premiums on bonds, notes or coupons; the amount of sales of all moveable property less the amount expended in the purchase or production of the same; and in the case of a person not including any part thereof consumed directly by him or his family; money and the value of all personal property acquired by gift or inheritance, and all other gains, profits and income derived from any source whatsoever.

In computing incomes, the necessary expenses actually incurred in carrying on any business, trade, profession or occupation, or in managing any property, are to be deducted, and also all interest paid by such person or corporation on existing indebtedness. All Government taxes and license fees paid within the year are to be deducted from the gains, profits or income of the person who or the corporation which has actually paid the same, whether such person or corporation be owner, tenant or mortgagor; also all losses actually sustained during the year incurred in trade or arising from losses by fire not covered by insurance, and all losses actually incurred.

No deduction is to be made for personal or family expenses. Only one deduction of \$1,000 is to be made from the aggregate annual income of all the members of one family composed of one or both parents and one or more minor children, or husband and wife; guardians are to be allowed to make a deduction in favor of each and every ward, except where two or more wards are comprised in one family, in which case the aggregate deduction in their favor shall not exceed \$1,000.

Corporations are to make returns on their incomes between the 1st and 31st days of July of each year, showing gross receipts, expenditures, amounts paid on interest, amounts expended on permanent improvements, and the amount paid in salaries or compensation of more than \$500 to each person employed.

There is a penalty provided for false, wilful testimony, and those giving it will be guilty of perjury.

Other Measures of More or Less Interest and Value.

Representative Emmeluth's street-widening bill, which was introduced in the House last week, is as follows:

An Act to Amend Section 2 of Act 23 of the Laws of the Republic of Hawaii, Session of 1896.

Be It Enacted by the Legislature of the Territory of Hawaii: That section 2 of Act 23 of the laws of the Republic of Hawaii, Session of 1896, be amended by adding thereto the following words, to wit: Provided, however, that full compensation for any such injury, loss or damage may be recovered by the owner of any buildings or improvements made or constructed after the 26th day of May, 1901, within the time actually completed. So that the widening of such streets as amended shall read as follows:

Sec. 2. If, after the publication of this Act, any person or corporation shall make or construct any buildings or improvements of any kind within the lines of street widening as hereinafter set forth, such person or corporation and their respective representatives shall be liable for the removal or destruction of any buildings or improvements, when such removal or destruction is required by the widening of such streets as aforesaid. Provided, however, that full compensation for any such injury, loss or damage may be recovered by the owner of any buildings or improvements made or constructed after the 26th day of May, 1901, within the time actually completed.

The bill providing for the management and control of the Government sewerage system, introduced by Representative Makainai, is as follows:

An Act Providing for the Control and Management of the Government Sewerage System.

Be It Enacted by the Legislature of the Territory of Hawaii: That the Superintendent of Public Works shall have the general charge of the sewerage system of Honolulu and other places within the Territory.

Sec. 2. He may establish the rates to be paid for connecting with and using sewers and may charge such rates whenever it may be necessary. A notice of such charges being duly advertised not less than once a week for at least four weeks in the Hawaiian and English languages, in two or more newspapers published in Honolulu.

Sec. 3. Applications for a permanent sewer connection with any Government sewer system shall be in writing and signed by applicant. Such application shall be upon printed forms to be supplied by the Superintendent of Public Works. If sewerage is available and in condition for use, any applicant upon complying with the terms and conditions upon which sewer connections may be made and used, shall be furnished with a duplicate of his application and shall be entitled to the sewer connection as specified in this application. Sewer rates shall be payable half yearly in advance, on the first day of January and the first day of July of each year, at the office of the Superintendent of Public Works.

Sec. 4. The Superintendent of Public Works shall, at least ten days before such sewer rates may be payable, notify all persons then holding sewer privileges as aforesaid, by advertisement in one or more newspapers, that such rates are payable on the first day of January or July, as the case may be, next following such notice.

Sec. 5. If such rate shall remain unpaid for fifteen days after it is due, then 10 per cent in addition to the regular rate shall be charged to and become due from the person holding such privilege; and the Superintendent of Public Works may proceed so doing to the person holding such permit.

Sec. 6. In addition to the notice heretofore required to be given by the Superintendent of Public Works he shall also, on or before the 1st day of July and January in each year, mail to the ratepayer a notice that such rate is due and the amount thereof.

Sec. 7. The Superintendent of Public Works may, from time to time, make and revise reasonable rules and regulations for the maintenance and use of the Government sewer system.

Sec. 8. Any person connecting with the sewer main without first obtaining a permit, as provided for in section 3 of this Act, or who shall wilfully break, dig

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FOOLISH FLINGS AT DOLE PEOPLE

House Members Would Instruct Department Heads How to Manage Affairs.

BUSINESS in the Lower House of the Legislature unfolded slowly yesterday morning. The long siege of the previous day seemed to have tired the solons, and they straggled in one by one during the reading of the minutes. The quiver spirit of Monday was entirely lacking during the first hour, but Makekau and Hihio soon put ginger into the proceedings.

Keiki started the ball rolling by introducing a bill of which he had given previous notice, entitled An Act to Appropriate a Pension for Liliuokalani. The bill passed its first reading by title.

A resolution was presented by Makekau to appropriate the sum of \$12,000 to be expended on bridges and roads in Hana District, Maui.

The author moved to have the bill referred to the Committee on Public Lands. Beckley moved to have the resolution tabled to be considered in connection with the appropriation bill, Kaumakau said there was immediate need for the funds. The roads were bad in the district, and not of sufficient width to entertain general traffic. Beckley recoiled from his first position, and seconded the motion of the author's resolution. Robertson said the resolution was out of order. The resolution read "is hereby appropriated." The House could not appropriate money by resolution. The items would have to be inserted in the appropriation bill, if at all.

Dickey said this was merely a technicality. The form might be poor, and this could be rectified by the committee. The Speaker said he had rule 41 showed how to introduce the resolution. Makekau said the resolution was seconded but Makekau had probably failed to adjust his ears so as to hear all that was said. He suggested that the resolution be withdrawn and re-written. Makekau wanted the resolution referred to the Committee on Finance. Makekau returned to the fray with fire in his eye. This time he was of the opinion the resolution should go to the Public Lands Committee. The vote, the resolution was referred to the Public Lands Committee.

Makekau introduced a bill of which he had already given notice, entitled An Act to Repeal Chapter 39 of the Civil Laws of 1897, Prohibiting Gaming and Gambling. The bill passed first reading.

Kaniho introduced a bill of which he had already given notice, entitled An Act to Segregate the Lepers at Molokai. It passed first reading by title.

Makekau introduced a resolution relative to the District of Waialua, which, in the parlance of the House, was a "corner" of a request for funds. It read as follows:

Whereas, the district has grown in magnitude in the last two years and is increasing in new industries, and has become second to Honolulu in point of importance; and

It is important to the growth of the district that the roads and bridges should be in such a condition as to be consistent with the present growth; therefore, be it

Resolved, That the sum of \$3,450 be inserted in the appropriation bill for roads and bridges of the District of Waialua.

Emmeluth moved to refer the bill to the Committee on Public Lands, which was done.

Dickey offered a long resolution which was similar to one introduced a week ago. Beckley called a halt.

"I believe we are going over the same thing twice," he said.

Nadilly calmly replied that he believed that was true, and he hastily withdrew the resolution when he heard that a similar resolution was already before the House.

Gillilan introduced a resolution against the issuance of further liquor licenses by the Governor's Council, and did it with the air of a tragedian.

Beckley asked Gillilan to make an amendment by striking out the words, "Governor's Council."

"We are not called upon to recognize an illegal body," said he tartly. "We cannot recognize such a body which has no real existence."

Gillilan retorted by saying he read "Governor's Council" and not "Governor's Council." He meant the body attended by heads of Territorial departments. In the latter part of the resolution, however, "Governor's Council" was the phrase used.

"That's a mistake," said Gillilan sadly.

Hoops introduced a foolish resolution regarding alleged vacations of heads of the departments of the Territory, which came to nothing.

We understand it has been the custom to allow Government officials two months' vacation with salary every year without any authority of law; be it

Resolved, That the Auditor General be requested to furnish us forthwith a list with the names of these beneficiaries and where he got his authority and law governing the same.

Nadilly gave notice of a bill which he intends to introduce, entitled An Act to Strictly Prohibit the Territorial Government From Opening, Laying or Constructing Streets, Roads or Public Highways on Properties Owned by One or More Persons Without First Obtaining the Consent of the Owners Thereof.

Emmeluth gave notice of a bill he intends to introduce, as follows:

An Act to Provide for the Initiative and Referendum. The object of the bill is to provide for information from the electorate as to legislation desired, and for final ratification of any legislation by popular vote.

Dickey at this juncture wanted to know what had become of the rules which were to be printed.

Prendergast said he did not know yet whether the House wanted them printed in book or pamphlet form. Makekau said he believed the House rules were ready, but as the Committee had not in conjunction with the Senate Committee,

AT AUCTION BY WILL E. FISHER AUCTIONEER

THIS DAY. At Auction

ON WEDNESDAY, MAR. 13 AT 12 O'CLOCK NOON.

I will sell at auction at my salesroom, corner of Merchant and Alakea Streets, the following articles:

- 1 PHAETON.
- 1 COOK STOVE.
- 1 OAK EXTENSION TABLE.
- 1 GOLDEN OAK BEDROOM SET (7 pieces).
- 1 GOLDEN OAK BEDROOM SET (6 pieces).
- 1 OAK WARDROBE.
- 1 BOX COUCH.
- 1 ICE CHEST.
- 1 MEAT SAFE.
- 1 KITCHEN TABLE.
- 1 MOSQUITO NET.
- 1 HAIR MATTRESS.
- 1 EXCELSIOR MATTRESS.
- 2 SPRING MATTRESSES.
- 2 FEATHER PILLOWS.
- 3 TOILET SETS.
- LAMPS, PITCHERS and BOWLS.
- 2 SECOND-HAND PIANOS.
- 12 SECOND-HAND SEWING MACHINES, Etc., Etc.

WILL E. FISHER, Aucr.

tee, he was again "at sea" as to who was the promoter of the proposed joint meeting, but nothing had been done. Dickey moved to have them printed in pamphlet form. Prendergast, for the Printing Committee, thought the rules of the Senate and House ought to be printed in the same book. Dickey withdrew his motion.

Gillilan bobbed up again with his "Governor's Council" resolution calling for a prohibition of further issuance of liquor licenses by the Governor of the Territory. Makekau moved that the resolution be rejected. If the resolution is adopted then the same would go into effect for the next two years.

"This is one of the crooked practices carried on by the Territorial officials," said Makekau. Many licenses had been granted, and he charged that the officials discriminated, and he proceeded to give a few illustrations. He claimed that the officials were receiving a share of the proceeds obtained through the issuance of licenses. He favored throwing down the bars completely, and letting all who had the means, obtain licenses.

"If the revenues are running short," argued the talkative Makekau, and now they are preventing people from getting licenses, that cuts off revenue. I want to get a license myself."

Emmeluth said the last speaker was very inconsistent, and this was shown by a number of instances since the House began its sessions. Personally he considered the Government had been extremely vacillating and complacent in the matter of issuing licenses. They started in to grant licenses to any and every one who applied for them. He said the statements of Makekau were true, and he admitted they were true by common report, then the resolution should be passed. This liquor matter was one of the factors in the moral uplifting of the community, which the legislators should direct. On last Saturday he was on Nuuanu street and listened to the noise emanating from the saloons. He then made up his mind to reduce the saloon feature and influence in this community.

Makekau interrupted. He called for a point of order. He said he was going too far in his discussion of the liquor business.

"I am stating my reasons for voting for the resolution. It is a criminal condition when a laborer goes into these saloons and spend most of his wages and the next Monday be arrested for so spending his wages," exclaimed Emmeluth testily.

Gillilan said for considerable time people had come to him to put his name down on petitions to get licenses. He knew of no better way to get the liquor matter into the House. The Legislature had to formulate laws for the liquor traffic. It was in the hands of the legislators to continue the traffic or prohibit it.

Makekau argued again. He was desirous of obtaining a liquor license and was not without obstacles in the way to prevent him obtaining it. If Gillilan offered the matter brought into the House, he should introduce a bill to regulate the sale of liquor and the issuance of licenses. The resolution referred to a bill about to be brought in. In the case he thought the bill should be forthrightly moved to reject the resolution.

Monsarrat said the idea was to put a stop to the "trust" that had been formed to discriminate.

"All you have to do is to pull with the gang," remarked Monsarrat. Emmeluth lay back in his chair and gave vent to a lusty laugh, followed by Gillilan.

Monsarrat thought the resolution was easy to comprehend. "Those who want to drink should be given a chance, and those who don't want to, don't have to," he said.

"Kokua," said Robertson, drily.

Emmeluth thought a good many citizens in the country could have their drink when they wanted to. He was not a drinking man, but he did not agree in having the traffic restricted.

Kaniho felt compelled to make a few remarks. He desired to see the measure rejected. As there were no time limits specified in the resolution, he believed it faulty and moved to have it rejected. By passing such a resolution the Territory was being deprived of revenues.

Robertson was "agin" the resolution for many reasons. One was that the House was not the "whole bunch," and the Senate had to be considered. They might pass a resolution calling the Treasurer to issue all the licenses possible, and he would be between a see-saw of both houses. The liquor traffic was difficult to handle. In the last few years there was a tendency to "loosen up," but in 1898 a bill was passed by the Legislature for licenses called "light wine and beer licenses." He felt at the time it was hedged about by too many restrictions, and he believed facts since then justified his stand. There is now

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AT AUCTION BY WILL E. FISHER AUCTIONEER

REAL ESTATE At Auction

IN THE DISTRICT COURT OF THE United States for the Territory of Hawaii.—In Bankruptcy:

In the Matter of J. A. BUTTERFIELD, Bankrupt.

To the Creditors of J. A. BUTTERFIELD, of Honolulu, Island of Oahu, and District Aforesaid, a Bankrupt:

PUBLIC NOTICE OF SALE OF PROPERTY OF ABOVE NAMED BANKRUPT:

Take notice that there will be sold at public auction on Saturday, the 16th day of March, 1901, at 12 o'clock noon, at the auction rooms of Will E. Fisher, corner of Merchant and Alakea streets, Honolulu aforesaid, all the right, title and interest of said J. A. Butterfield, bankrupt, in and to the following lots, pieces and parcels of land, together with the buildings and improvements thereon, to-wit:

Lots 12 and 13, situated at Pawaa, Punahou, Oahu. Said property will be sold to the highest bidder for cash, subject to the approval of the District Court of the United States for the Territory of Hawaii in Bankruptcy, pursuant to the order of the Honorable Morris M. Estlin, Judge of said court.

Dated this first day of March, A. D. 1901. GEO. A. DAVIS, Trustee of J. A. Butterfield, a Bankrupt.

WILL E. FISHER, Aucr.

Boardman Homestead

Real Estate For Sale.

THIS MAGNIFICENT BLOCK OF REAL ESTATE as per the following diagram for sale as a whole or in subdivisions:

J. F. Hackfeld Esq. John Wright Esq.

LUNALILO STREET

75 75 75 75

4 3 2 1

(Small St.)

5 6 7 8

75 75 75 75

KAPOLANI STREET

190 190

KINAU STREET.

O. E. Huestace Esq. C. M. Cooke Esq.

No property offered here in Honolulu presents the same opportunities for desirable building lots as the above—elevated as it is—possessing an unobstructed panoramic marine view of the ocean, harbor and Honolulu, its proximity to the business center, its transit facilities on the line of the proposed electric line, within a block of the Beretania street cars, and in the neighborhood of the best residences of this city makes this site exceptionally desirable for residence purposes.

Terms most liberal—one-third cash (if desired), balance in equal payments in one and two years at 7 per cent interest only on deferred payments. Further particulars of

WILL E. FISHER,

REAL ESTATE AGENT AND AUCTIONEER, Corner Merchant and Alakea Streets.

P. R. ISENBERG, President. CHARLES BELLINA, Manager.

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Reliable Horses, experienced Drivers. New Rigs, Fair Prices.